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In re Application of
TSUDA et al.
Application No.: 09/674,249
PCT No.: PCT/JP99/02183
Int. Filing Date: 23 April 1999
Priority Date: 01 May 1998
Attorney's Docket No.: Q61520
For: FLUORINE-CONTAINING COPOLYMER
HAVING FUNCTIONAL GROUP

DECISION ON

PAPERS

UNDER 37 CFR 1.42

This is a decision on applicants' "SUBMISSION OF EXECUTED DECLARATION"
filed 02 October 2001.

BACKGROUND

On 23 April 1999, applicant filed international application PCT/JP99/02183, which claimed a priority date of 01 May 1998. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 11 November 1999. A Demand for international preliminary examination, in which the United States was elected, was filed on 25 October 1999, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 01 November 2000.

On 30 October 2000, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee and an English translation of the international application.

On 02 October 2001, applicants filed the instant "SUBMISSION OF EXECUTED DECLARATION" and the surcharge under 37 CFR 1.492(e). A declaration signed by four of the five inventors and also signed by Miyuki Iwakiri as "Legal representative" of deceased inventor Ryuji Iwakiri was provided. A second declaration signed only by Miyuki Iwakiri as "Legal representative" of deceased inventor Ryuji Iwakiri and listing the residence, citizenship and mailing address of both Miyuki Iwakiri and Ryuji Iwakiri was also provided.

On 02 October 2001, the United States Patent and Trademark Office (USPTO) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE U.S.

DESIGNATED/ELECTED OFFICE (DO/EO/US) (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a) and (b) and the surcharge under 37 CFR 1.492(e) were required. The NOTIFICATION set a one-month extendable time period for reply.

On 09 November 2001, applicants submitted a "RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE UNITED STATES ELECTED OFFICE" indicating that an executed Declaration and an executed Supplemental Declaration had been previously filed on 02 October 2001. This submission was accompanied by, *inter alia*, a copy of a postcard receipt and a copy of the submission filed 02 October 2001. However, as indicated above, the submission filed 02 October 2001 has been matched with the application file since the mailing of the NOTIFICATION OF MISSING REQUIREMENTS.

DISCUSSION

The above application and the submission filed 02 October 2001 have been reviewed and have been found in compliance with 37 CFR 1.42.

CONCLUSION

The papers filed under 37 CFR 1.42 on 02 October 2001 are ACCEPTED.

Please direct any further correspondence with respect to this matter to the Commissioner of Patents and Trademarks, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application including according the application a 35 U.S.C. 371(c) date of 02 October 2001.



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